

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARINO VILLALVA,

Plaintiff,

-v-

FU WING GARDEN, INC., et al.,

Defendants.  
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20-CV-10187 (JMF) (KHP)

ORDER

JESSE M. FURMAN, United States District Judge:

Although the Complaint names “Peter Wang” as a Defendant, ECF No. 4, Plaintiff’s request for issuance of a summons instead names the Defendant as “Peter Yang,” as does the summons that was issued, ECF Nos. 2, 5.<sup>1</sup> On January 4, 2021, Plaintiff filed proof of service indicating that “Peter Wang” was served with a copy of the summons and Complaint on December 29, 2020. ECF No. 10. No later than **January 28, 2021**, Plaintiff shall either file an amended complaint or request issuance of a new summons to correct this discrepancy, as the case may be, or otherwise file a letter addressing the discrepancy. To the extent it is necessary, the Court grants leave to amend the complaint to correct the Defendant’s name.

SO ORDERED.

Dated: January 21, 2021  
New York, New York



JESSE M. FURMAN  
United States District Judge

<sup>1</sup> The docket also lists the Defendant as “Peter Yang.”